

ORDINANCE NO. 21-O-52

***AN ORDINANCE ANNEXING CERTAIN TERRITORY TO
THE CITY OF WOODSTOCK, MCHENRY COUNTY, ILLINOIS
(11911, 11913 and 11915 Industrial Heights Drive)***

WHEREAS, the City of Woodstock, McHenry County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the City's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, Hay Properties, LLC., 11911 Industrial Heights Drive, Patricia K. Moles as Trustee of the Patricia K. Moles Declaration of Trust, 11913 Industrial Heights Drive, and Burdette Martin, 11915 Industrial Heights Drive (collectively, the "Owners"), are the record title owners of land located in Dorr Township in unincorporated McHenry County, Illinois, and which property is legally described in Exhibit A attached hereto and by this reference incorporated herein and made a part hereof (the "Subject Property"); and

WHEREAS, the Subject Property consists of approximately 3.898 acres and is depicted on the plat of annexation attached hereto and by this reference incorporated herein and made a part hereof as Exhibit B (the "Plat of Annexation"); and

WHEREAS, the Subject Property is wholly bounded by the corporate limits of the City and is not within the corporate limits of any municipality; and

WHEREAS, there are no electors residing on the Subject Property; and

WHEREAS, the Owners desire and propose to have the Subject Property annexed to the City (the "Annexation") pursuant to and in accordance with the provisions of Section 7-1-8 of the Illinois Municipal Code and of individual Annexation Agreements, each dated as of October ___, 2021, by and between the City and the Owners (the "Annexation Agreements"); and

WHEREAS, all petitions and other documents necessary to accomplish the Annexation have been executed; and

WHEREAS, notice of the Annexation has been delivered to all entities and officials in accordance with, and as required by or pursuant to, the provisions of Section 7-1-1 of the Illinois Municipal Code; and

WHEREAS, the Subject Property is not part of any public library district, but is located within the Woodstock Rural Fire Protection District and Dorr Township Road District; and

WHEREAS, annexation of the Subject Property by the City is also authorized under, and is in compliance with the requirements of Section 7-1-10 of the Illinois Municipal Code (65 ILCS 5/7-1-10); and

WHEREAS, the Mayor and City Council of the City of Woodstock have determined that the proposed annexation of the Subject Property is in the best interests of the City.

BE IT ORDAINED by the CITY COUNCIL of the CITY OF WOODSTOCK, McHenry County, Illinois, as follows:

SECTION 1: Recitals. The foregoing recitals are hereby incorporated herein as if fully set forth.

SECTION 2: Annexation. The Subject Property is hereby annexed to the City of Woodstock.

SECTION 3: Recording and Reporting. The City Clerk is hereby authorized and directed to record in the Office of the Recorder of Deeds, McHenry County, Illinois, within 90 days following the effective date of this ordinance, a certified copy of this ordinance, including the Plat of Annexation, and the affidavits of service of notice as required by law. The City Clerk is further authorized and directed to notify the Election Authorities, as defined in Section 7-1-1 of the Illinois Municipal Code, and the United States Post Office branches serving the Subject Property of the Annexation by registered or certified mail within 30 days following the effective date of this ordinance.

SECTION 4: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.


SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6: This Ordinance shall be known as Ordinance 21-O-52 and shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law, provided, however, that this ordinance shall be of no force or effect unless and until (i) all conditions precedent to the effectiveness of Woodstock Ordinance No. 21-O-52, the ordinance approving and authorizing the execution and attestation of the Annexation Agreement, shall have been satisfied and (ii) the City shall have duly executed and attested the Annexation Agreement. Notwithstanding the expiration of the Annexation Agreement, this ordinance shall continue in full force and effect, and the terms, provisions and

conditions of this ordinance shall survive the termination of the Annexation Agreement and shall not be merged.

Ayes: Flynn, Lohmeyer, Nierman, Piersall, Seegers, Tebo, Mayor Turner
Nays: None
Abstentions: None
Absentees: None

APPROVED:



Mayor Michael Turner

(SEAL)

ATTEST: Cindy Smiley
City Clerk Cindy Smiley

By Chief Deputy City Clerk Jane Howie

Passed: 10/19/21

Approved: 10/21/21

Published: 10/21/21

EXHIBIT A
(to Annexation Ordinance)

LEGAL DESCRIPTION

Lots 2, 3 and 4 in Industrial Heights Subdivision, being a Subdivision of that part of the Northwest Quarter of the Northwest Quarter of Section 16, Township 44 North, Range 7, East of the Third Principal Meridian, according to the Plat thereof, recorded April 26, 1984 as Document No. 879794, in McHenry County, Illinois.

PIN Nos.: 13-16-101-014; 13-16-101-015; and 13-16-101-016

EXHIBIT B
(to Annexation Ordinance)

PLAT OF ANNEXATION

CERTIFICATION

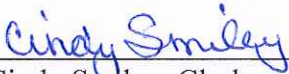
I, CINDY SMILEY, do hereby certify that I am the duly appointed, acting and qualified Clerk of the City of Woodstock, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and Council members of said City.

I do hereby further certify that at a regular meeting of the Woodstock City Council, held on the 19th day of October, 2021, the foregoing Ordinance entitled ***AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF WOODSTOCK, MCHENRY COUNTY, ILLINOIS***, was duly passed by said City Council.

The pamphlet form of Ordinance No. 21-O-52, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on the 21st day of October, 2021, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the City Clerk.


I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and corporate seal of the City of Woodstock this 19th day of October, 2021.



Cindy Smiley, Clerk
City of Woodstock,
McHenry County, Illinois

(SEAL)


By Chief Deputy City Clerk Jane Howie

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ORDINANCE PASSED BY THE

MAYOR AND CITY COUNCIL

OF THE CITY OF WOODSTOCK

AT THEIR REGULAR MEETING ON OCTOBER 19, 2021

PUBLISHED IN PAMPHLET FORM BY THE AUTHORITY OF

THE CITY COUNCIL

OF THE

CITY OF WOODSTOCK

Mayor:

Michael Turner

City Council:

**Darrin Flynn
Lisa Lohmeyer
Tom Nierman
Wendy Piersall
Bob Seegers, Jr
Gordon Tebo**

Clerk:

Cindy Smiley

